

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning, Research & Development

AGENDA DATE: February 15, 2005 (Public Hearing)

CONTACT PERSON/PHONE: Fred Lopez, 541-4925

DISTRICT(S) AFFECTED: 8

SUBJECT:

Resolution approving Detailed Site Development Plan No. ZON04-00112, for a portion of Tract 3A, A. F. Miller Survey No. 210, El Paso, El Paso County, Texas pursuant to a special contract imposed by Ordinance No. 7982. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code.
Applicant: Camino Real Investments I, Ltd. (District 8)

BACKGROUND / DISCUSSION:

See attached report.

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

Development Coordinating Committee (DCC) – Approval Recommendation
City Plan Commission (CPC) – Approval Recommendation

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: George Sarmiento, AICP

APPROVED FOR AGENDA:

CITY MANAGER: _____ **DATE:** _____

JOE WARDY
MAYOR

JOYCE WILSON
CITY MANAGER



**PLANNING, RESEARCH &
DEVELOPMENT DEPARTMENT**

January 31, 2005

CITY COUNCIL

SUSAN AUSTIN
DISTRICT NO. 1

ROBERT A. CUSHING, JR.
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO
DISTRICT NO. 3

JOHN F. COOK
DISTRICT NO. 4

PRESI ORTEGA
DISTRICT NO. 5

PAUL J. ESCOBAR
DISTRICT NO. 6

VIVIAN ROJAS
DISTRICT NO. 7

ANTHONY W. COBOS
DISTRICT NO. 8

TO: The Honorable Mayor and City Council
Ms. Joyce A. Wilson

FROM: Fred Lopez, Planner II / Zoning Coordinator

SUBJECT: ZON04-00112

The City Plan Commission (CPC), on October 28, 2004, voted **7 - 0** to recommend **APPROVAL** of this detailed site development plan, concurring with Staff's recommendation.

The CPC found that this detailed site development plan is in conformance with The Plan for El Paso. The CPC also determined that this detailed site development plan protects the best interest, health, safety and welfare of the public in general.

There was **NO OPPOSITION** to this request.

Note: Required Documentation for this Resolution was submitted to the Planning Department on the following dates: Development Agreement submitted on 12/21/04; Metes & bounds description submitted on 1/4/05; and Detailed Site Development Plans signed and submitted on 1/20/05.

STAFF REPORT

Detailed Site Plan: ZON04-00112

Property Owner(s): Camino Real Investments I, Ltd

Applicant(s): Camino Real Investments I, Ltd

Representative(s): Kistenmacher Engineering Company, Inc.

Legal Description: A portion of Tract 3A, A. F. Miller Survey No. 210

Location: Belvidere Street South of Mesa Street

Representative District: # 8

Area: 11.08 Acres

Present Zoning: C-3/sc (Commercial/special contract)

Present Use: Vacant

Proposed Use: Apartments

Surrounding Land Uses:

North -	C-3/sc (Commercial/special contract) / vacant
South -	C-3/sc (Commercial/special contract) / vacant
East -	A-2 (Apartment) / vacant
West-	C-3/sc (Commercial/special contract) / vacant

Year 2025 Designation: **Mixed-Use** (Northwest Planning Area)

**CITY PLAN COMMISSION HEARING, November 11, 2004,
1:30 P.M., CITY COUNCIL CHAMBERS, 2ND FLOOR, CITY HALL**

Detailed Site Development Plan: ZON04-00112

General Information:

The applicant has submitted a request for detailed site development plan review in order to permit apartments. The property 11.08 acres in size and is currently zoned C-3/sc (Commercial/special contract). The proposed site plan shows 240 apartment units to be located on the site. Access is proposed via Belvidere Street with 445 parking spaces provided. The site plan also shows 125,000 sq. ft. of landscaping for the apartment complex. Site plan review is required because of a special contract condition that exists on the subject property.

Information to the Commission:

The Planning Department has received no calls or letters in support or opposition to this application.

Staff Recommendation:

The Development Coordinating Committee (DCC) unanimously recommends **APPROVAL** of this detailed site development plan.

The recommendation is based on the following:

The Plan for El Paso City-Wide Land Use Goals recommend that El Paso “provide a wide range of housing types that respond to the needs of all economic segments of the community.”

The Year 2025 Projected General Land Use Map for the **Northwest** Planning Area designates this property for **Mixed-Use** land uses.

C-3/sc (Commercial/special contract) zoning permits apartments.

The Commission must determine the following:

- A. Does the detailed site development plan satisfy the city's minimum requirements necessary to protect the public health, safety, and general welfare of the community?
- B. Does the proposed development comply with all ordained development standards of the C-3/sc (Commercial/special contract) zoning district?

Information To The Applicant:

Building Permits and Inspections Department Notes:

- A. Site plan requires one more van accessible parking space.
- B. Landscaping meets the minimum requirements of the code.
- C. Six foot screening wall required between C- zone and R- zone districts.

Engineering Department, Development Division Notes:

See Enclosure 1.

Engineering Department, Traffic Division Notes:

- A. Belvidere Street shall be improved with sidewalks included.
- B. Parking stalls shall be 9' by 20'.
- C. Wheel stops on parking stalls adjacent to sidewalks.
- D. Main access shall have signs if entrances are intended to be one way.

Fire Department Notes:

Site plan does not adversely affect the Fire Department.

El Paso Water Utilities Notes:

No comments.

Planning, Research & Development Department Notes:

- A. The Year 2025 Projected General Land Use Map for the Northwest Planning Area designates this property for Mixed-Use land uses.
- B. C-3/sc (Commercial/special contract) zoning permits apartments.

ATTACHMENT: Site Plan; Enclosure 1; Enclosure 2.

NOTE TO THE PROPERTY OWNER: CITY PLAN COMMISSION POLICY REQUIRES THAT THE APPLICANT OR REPRESENTATIVE BE PRESENT AT THE PUBLIC HEARING FOR THIS ITEM. PLEASE DIRECT ANY QUESTIONS CONCERNING THIS REPORT TO THE PLANNING DEPARTMENT AT (915) 541-4056.

Engineering Department
DEVELOPMENT DIVISION
COMMENTS

TO: PLANNING DEPARTMENT

DATE: October 11, 2004

FROM: ENGINEERING DEPARTMENT

ADDRESS: Belvidere St.? S. of Mesa St.

ATTN: Kimberly Forsyth or
Fred Lopez, Urban Planners

PROPOSED USE: Apartments

CASE NO.: ZON04-00112(revised)

ZONE: C-3/sc

REQUEST: Detailed Site Plan review,

LEGAL DESCRIPTION: A portion of Tract 3A, A. F. Miller Survey No. 210

- ☐ 1. No comments
- ☒ 2. Must be submitted as a Subdivision, there are no Street or Drainage Improvements that serve this site and there is upstream runoff that goes through the proposed site.
- ☒ 3. Sidewalks will be required.
- ☒ 4. Grading plan and permit required.
- ☐ 5. Storm Water Pollution Prevention details required.
- ☒ 6. Storm Water Pollution Prevention plan and permit required.
- ☒ 7. Drainage plans must be approved by the City Engineer
- ☐ 8. On-site ponding will be required.
- ☐ 9. Private pond is required..
- ☐ 10. No water runoff allowed onto _____.
- ☒ 11. Additional R.O.W. required? Will Western Skies Dr. be extended through this development?
- ☒ 12. Additional Comments: Site location is **not** located within the Special Flood Hazard Area. Zone C, Panel 27 D, unless Street and Drainage Improvements are included as part of the Site Plan then there will be a requirement for a 404 Permit from the US Army Corps of Engineers.



Bashar Abugalyon, P. E.
Interim Assistant City Engineer

DISTRICT: 8

HME

DHCC Action:

Approved. ____/____/____

W/ Modification(s) _____

Denied ____/____/____ Reason _____

Tabled ____/____/____ Until ____/____/____, _____ Week(s)

No. Times Tabled _____, _____, _____, _____, _____, _____, _____, _____



INTEROFFICE MEMORANDUM

To: Jorge Rousselin
Urban Planner

From: El Paso Water Utilities – Engineering.

Date: November 05, 2004

Subject: **ZON04 – 00112 (Detailed Site Plan)**
(Desert Trail Subdivision SUB04 – 00072)
Portion of Tract 3 –A, A. F. Miller Survey No. 210 (the Property).

Location:	Belvidere Street south of Mesa Street
Present:	C-3/cs (Commercial/special contract); vacant
Proposed Use:	apartments

We have reviewed the detailed site plan described above and provide the following comments:

Water

Along Desert Trail Drive south of Mesa Street there is an existing twelve (12) inch diameter water main. This main dead-ends at approximately 270 feet south of Mesa Street.

Along Gem Street, east of Remcon Circle Street there is an existing six (6) inch diameter water main. This main dead-ends at approximately 338 feet east of Remcon Circle Street.

Sanitary Sewer

South of Desert Trail Drive, within an easement, there is an existing eight (8) inch diameter sanitary sewer main. This main dead-ends north of the existing/proposed Drainage Channel.

Along Gem Street east of Remcon Circle Street there are no existing sanitary sewer mains.

Along Remcon Circle Street west of Gem Street there is an existing eight (8) inch diameter sanitary sewer main.

Reclaimed Water

Along Desert Trail Drive, south of Mesa Street there is an existing twenty-four (24) inch diameter reclaimed water (non-potable) transmission main. The alignment of this reclaimed water main continues towards the south of Desert Trail Drive within an easement. The alignment then continues toward the west; this main is located along the northernmost portion of Desert Trail Subdivision Unit Two.

General

Easements will be required for the above described reclaimed water main.

Easement grantor shall indemnify, defend, and hold harmless the El Paso Water Utilities – Public Service Board from and against any and all claims, liability, actions, and damages for bodily injury and property damage to third parties or to the El Paso Water Utilities – Public Service Board which

may be caused by or arise out of the maintenance and existence of said water and sanitary sewer mains in the easement area.

The alignment and location of the proposed EPWU-PSB easement shall enable the placement of water meters outside of the parking areas and minimize the length of services. No vehicular traffic is allowed over the water meters. EPWU-PSB requires access to the proposed water, sanitary sewer facilities, appurtenances, and meters 24 hours a day, seven (7) days a week.

No building, reservoir, structure or other improvement, other than asphaltic paving (HMAC), shall be constructed or maintained on the above referenced El Paso Water Utilities - Public Service Board Easements (EPWU-PSB easements) without the written consent of EPWU-PSB.

The PSB easement shall be improved to allow the operation of EPWU maintenance vehicles.

Sanitary sewer service is critical. The El Paso Water Utilities requires complete final grading plans before committing to provide sanitary sewer service to this proposed subdivision.

In order for EPWU to perform a sanitary sewer feasibility study, the Owner/Developer shall be responsible for acquiring and furnishing to EPWU all information pertaining to the existing/proposed Drainage Channel depicted in the Desert Trail Subdivision Unit Two, as well as any other required information at the discretion of EPWU. The Engineer is requested to coordinate directly with EPWU regarding this request.

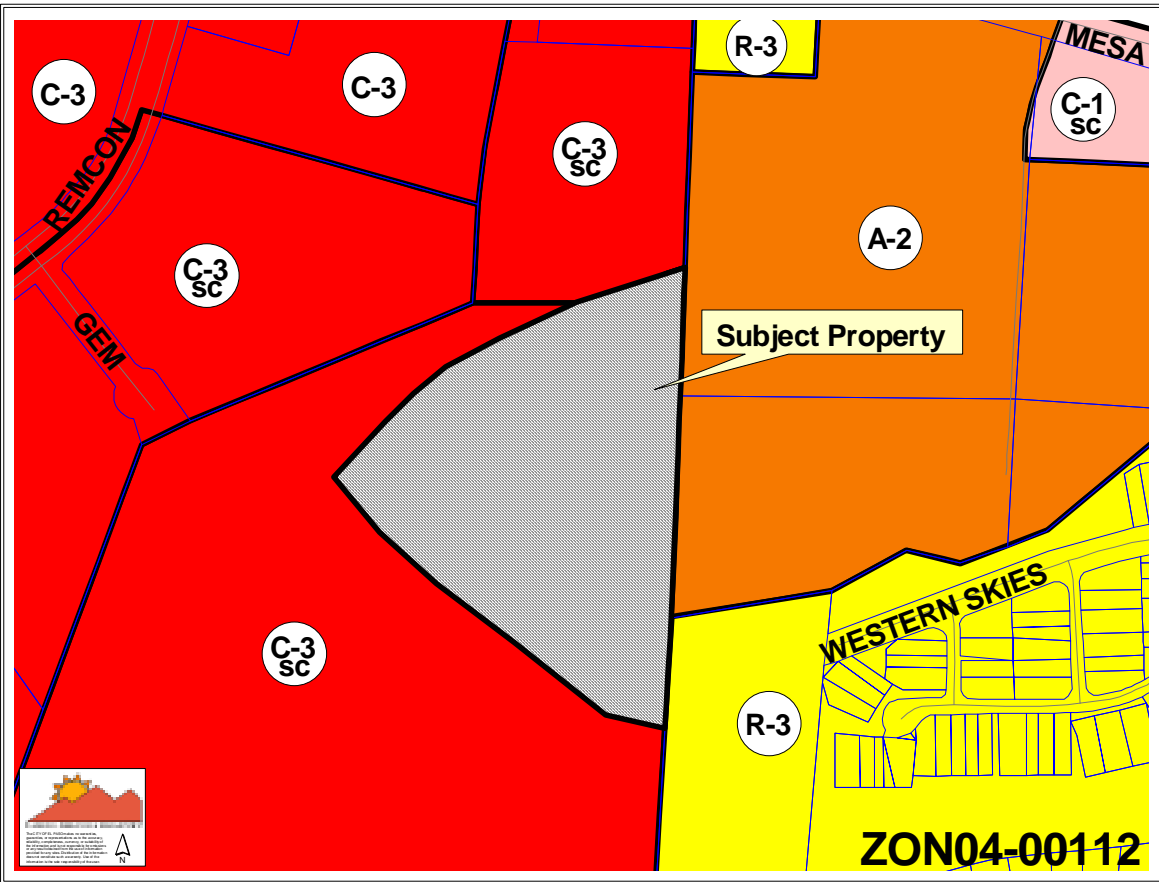
EPWU-PSB requests for the westernmost portion of Desert Trail Subdivision Unit Two (the portion closest to the existing Gem Street, to be filled to an elevation of 3830 at a minimum. The Engineer is requested to coordinate directly with EPWU regarding this request.

Water pressure regulating devices will be required at the northernmost portion of Desert Trail Subdivision Unit Two at Desert Trail Drive, south of Mesa Street.

The El Paso Water Utilities requires a finalized set of improvement plans including drainage and grading plans to initialize the design of the water and sanitary sewer main extensions to serve subject subdivision. The owner is responsible for the costs of any necessary on-site & off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances. Furthermore, application for services for subject subdivision must be made in conjunction with the request for water and sanitary sewer main extensions. The improvement plans should include a site plan, a utility plan, grading & drainage plans, landscaping plan (if applicable), the legal description of the property, and a certificate-of-compliance which are required at the time of application. The certificate-of-compliance can be obtained on the 2nd floor at City Hall.

EPWU does not object to this request.

GENERAL LOCATION MAP



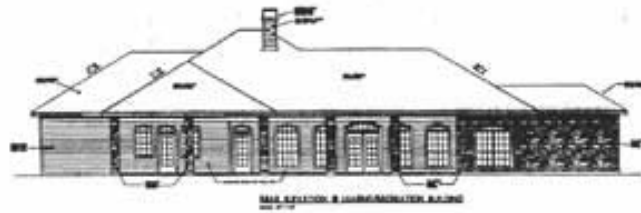
AERIAL MAP



DETAILED SITE DEVELOPMENT PLAN



ELEVATIONS



RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. ZON04-00112, FOR A PORTION OF TRACT 3A, A. F. MILLER SURVEY NO. 210, EL PASO, EL PASO COUNTY, TEXAS PURSUANT TO A SPECIAL CONTRACT IMPOSED BY ORDINANCE NO. 7982. THE PENALTY IS AS PROVIDED IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.

WHEREAS, EP Northeast Hills I, Ltd. (the "Applicant") has applied for approval of a detailed site development plan pursuant to a special contract imposed by Ordinance No. 7982, to permit the construction and development of apartments; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to a special contract made pursuant to Ordinance No. 7982, the City Council hereby approves the detailed site development plan submitted by the Applicant, to permit the construction and development of apartments on the following described property which is located in a **C-3/sc (Commercial/special contract) District**:

A portion of Tract 3A, A. F. Miller Survey No. 210, El Paso, El Paso County, Texas.

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference.

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc (Commercial/special contract) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc (Commercial/special contract) District**. Such agreement

shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

ADOPTED this ____ day of _____, 2005.


THE CITY OF EL PASO

Joe Wardy, Mayor


ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO CONTENT:



Fred Lopez, Zoning Coordinator
Planning, Research & Development



Rodolfo Valdez, Chief Urban Planner
Planning, Research & Development

APPROVED AS TO FORM:



Matt Watson, Assistant City Attorney

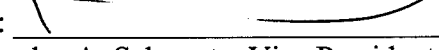
(development agreement on following page)

DEVELOPMENT AGREEMENT

By execution hereof, **EP Northeast Hills I, Ltd.**, the Applicant, identified in the Resolution to which this Development Agreement is attached, hereby covenant and agree to develop the property legally described as *a portion of Tract 3A, A.F. Miller Survey No. 210, El Paso, El Paso County, Texas, more particularly described by metes and bounds description attached hereto as Exhibit "A"*, in accordance with the approved detailed site development plan attached hereto as Exhibit "B" and incorporated herein by reference and in accordance with the standards applicable to the **C-3/sc (Commercial/special contract) District** located within the City of El Paso.

EXECUTED this 17th day of December, 2004.

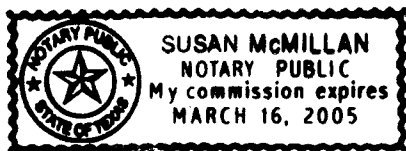
EP NORTHEAST HILLS I, LTD.
BY: EP NORTHEAST HILLS, INC.
ITS GENERAL PARTNER

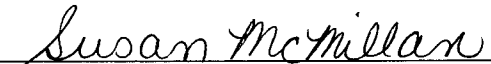
By: 
Douglas A. Schwartz, Vice President

ACKNOWLEDGMENT

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument is acknowledged before me on this 17th day of December, 2004, by Douglas A. Schwartz, as Vice President of EP Northeast Hills I, Ltd.




Notary Public, State of Texas

Susan McMillan
Printed Name

ORDINANCE NO. _____ Detailed Site Development Plan No. ZON04-00112

PROPERTY DESCRIPTION

BEING A PORTION OF TRACT 3A, A.F. MILLER SURVEY NO. 210, IN THE CITY OF EL PASO, EL PASO COUNTY, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A EXISTING COUNTY MONUMENT ON THE CENTERLINE OF GEM STREET; **THENCE**, WITH THE CENTERLINE OF GEM STREET SOUTH 41°28'00" EAST A DISTANCE OF 82.24 FEET; **THENCE**, LEAVING SAID CENTERLINE SOUTH 16°58'51" WEST A DISTANCE OF 30.51 FEET; **THENCE**, SOUTH 41°28'00" EAST A DISTANCE OF 65.73 FEET; **THENCE**, SOUTH 45°56'38" EAST A DISTANCE OF 66.51 FEET; **THENCE**, SOUTH 06°36'32" EAST A DISTANCE OF 27.69 FEET; **THENCE**, SOUTH 52°47'49" EAST A DISTANCE OF 64.00 FEET; **THENCE**, NORTH 41°19'06" EAST A DISTANCE OF 206.10 FEET TO A SET 5/8" REBAR WITH CAP ON THE SOUTH RIGHT-OF-WAY OF THE FUTURE EXTENSION OF BELVIDERE STREET AND BEING THE PC OF A NON-TANGENT CURVE TO THE RIGHT AND BEING THE **POINT OF BEGINNING**;

THENCE, 419.75 WITH THE ARC OF SAID CURVE AND SAID RIGHT-OF-WAY, HAVING A RADIUS OF 1436.00 FEET, A CENTRAL ANGLE OF 16°44'53" AND A CHORD BEARING NORTH 53°48'27" EAST A DISTANCE OF 418.26 FEET TO A SET 5/8" REBAR WITH CAP;

THENCE, WITH SAID RIGHT-OF-WAY NORTH 62°10'53" EAST A DISTANCE OF 525.75 FEET TO A POINT ON THE EAST LINE OF THE A.F. MILLER SURVEY NO. 210;

THENCE, LEAVING SAID RIGHT-OF-WAY SOUTH 00°00'00" WEST ALONG SAID EAST LINE A DISTANCE OF 1017.00 FEET TO A SET 5/8" REBAR WITH CAP;

THENCE, SOUTH 90°00'00" WEST A DISTANCE OF 133.74 FEET TO A SET 5/8" REBAR WITH CAP;

THENCE, NORTH 55°56'04" WEST A DISTANCE OF 635.09 FEET TO A SET 5/8" REBAR WITH CAP;

THENCE, NORTH 40°11'21" WEST A DISTANCE OF 221.13 FEET TO THE **POINT OF BEGINNING** CONTAINING 11.077 ACRES OR 482,515 SQUARE FEET.

KISTENMACHER ENGINEERING COMPANY, INC.
1420 GERONIMO DRIVE, SUITE A-2
EL PASO, TEXAS 79925
(915) 778-4476

December 30, 2004

Ira L. Hardin

IRA L. HARDIN
Registered Professional Land Surveyor
Texas No. 1798



Exhibit "A"